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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,519	12/03/2001	Kevin G. Jiang	10559-003003 / P6716D2	4151

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SAN DIEGO, CA 92122

EXAMINER

BUI, HUNG S

ART UNIT PAPER NUMBER

2841

DATE MAILED: 08/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicati n No.

10/006,519

Applicant(s)

JIANG, KEVIN G.

Examin r

Hung S Bui

Art Unit

2841

-- The MAILING DATE f this communication appears n the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on amendment filed on 06/16/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 15-17 and 22-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-17 and 22-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. The indicated objection claims 25-26 are withdrawn in view of the newly discovered reference to Schmitt et al. [US 6,088,222]. Rejections based on the newly cited references(s) follow.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 15-17 and 26-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmitt et al. [US 6,088,222] in view of Gotzfried et al. [US 6,236,570].

Regarding claims 15 and 27-35, Schmitt et al. disclose a disk drive assembly including an electromagnetic interference shield (figures 4b and 5) comprising:

- a frontal plate having a plurality of openings therethrough (figure 5);
- a side panel (figure 5) perpendicular to the frontal plate and extending rearwardly thereof; and
- at least one electrically conductive resilient spring finger clip (figure 5) protruding in a lateral direction from the side panel; and

- the shield being disposed between the disk drive carrier and a second disk (figure 3).

Schmitt et al. disclose the instant claimed invention except for the shield being disposed between a latching mechanism and a base of a disk drive carrier.

Gotzfried et al. disclose a disk drive carrier (1) having a base (figure 1), a latching mechanism (3, 4) and a shield member (2) disposed between the latching member and the base (figure 1).

It would have been obvious to a person having ordinary skill in the art at the time invention was made to use the shield/latch mounting design of Gotzfried et al. with the disk drive of Schmitt et al., for the purpose of facilitating removal of the disk drive from the housing.

Regarding claims 16-17, Schmitt et al. in view of Gotzfried et al. discloses the instant claimed invention except for the shield being formed of steel.

Official notice is taken to the effect that it is well known to use steel for making the shield in order protecting electromagnetic interference.

Regarding claim 26, Schmitt et al. in view of Gotzfried et al. further disclose the shielding including at least one finger clip (434, figures 4c-4d, column 7, lines 50-65), in contact with the second disk drive carrier.

4. Claims 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmitt et al. in view of Gotzfried et al., as applied to claim 15 above, and further in view of Anderson et al. [US 6,058,016].

Art Unit: 2841

Regarding claim 22, Schmitt et al. disclose the frontal plate having top and bottom edges, the side panel having top and bottom edges and an upper plate connecting the top edge of the frontal plate to the top edge of the side panel (figure 5).

Schmitt et al. in view of Gotzfried et al. discloses the instant claimed invention except for the electromagnetic interference shield having a lower plate connecting the bottom edge of the frontal plate to the bottom edge of the side panel.

Anderson et al. disclose an EMI shielding plate (40) having upper and lower plates extending from the top and bottom edges of a frontal panel (figure 3).

It would have been obvious to a person having ordinary skill in the art at the time invention was made to add a lower plate to the frontal plate of Schmitt et al. in view of Gotzfried et al., as suggested by Anderson et al., for the purpose of providing a frontal shielding structure.

Regarding claim 23, Schmitt et al. further disclose the upper and lower plates of the shield being configured to permit the shield to be mounted to the carrier base (column 7, lines 48-52).

5. Claim 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmitt et al. in view of Gotzfried et al. and Anderson et al.

Regarding claim 24, Schmitt et al. disclose a disk drive assembly including an electromagnetic interference shield (figures 4b-d and 5) comprising:

- a frontal plate having top and bottom edges and plurality of openings therethrough (figure 5);

Art Unit: 2841

- a side panel (figure 5) having a top edge and a bottom edge and being connected at a substantially right angle to the frontal plate and extending rearwardly thereof;
- the upper and lower plates of the shield being configured to permit the shield to be mounted to the carrier base (column 7, lines 48-52);
- at least one electrically conductive resilient spring finger clip (figure 5) protruding in a lateral direction from the side panel; and
- the shield being disposed between the disk drive carrier and a second disk (figure 3).

Schmitt et al. disclose the instant claimed invention except for the shield being formed of steel and disposed between a latching mechanism and a base of a disk drive carrier.

Gotzfried et al. disclose a disk drive carrier (1) having a base (figure 1), a latching mechanism (3, 4) and a shield member (2) disposed between the latching member and the base (figure 1).

It would have been obvious to a person having ordinary skill in the art at the time invention was made to use the shield/latch mounting design of Gotzfried et al. with the disk drive of Schmitt et al., for the purpose of facilitating removal of the disk drive from the housing.

Official notice is taken to the effect that it is well known to use steel for making the shield in order to prevent electromagnetic interference.

Anderson et al. disclose an EMI shielding plate (40) having upper and lower plates extending from the top and bottom edges of a frontal panel (figure 3).

It would have been obvious to a person having ordinary skill in the art at the time invention was made to add the lower plate to the frontal plate of Schmitt et al. in view of Gotzfried et al., as suggested by Anderson et al., for the purpose of providing frontal shielding structure.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 15-17 and 22-26 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure McAnally et al. [US 6,580,604].

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung S Bui whose telephone number is (703) 305-8024. The examiner can normally be reached on Monday-Friday 8:30AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David S. Martin can be reached on (703) 308-3121. The fax phone numbers for the organization where this application or proceeding is assigned are (703)

Application/Control Number: 10/006,519

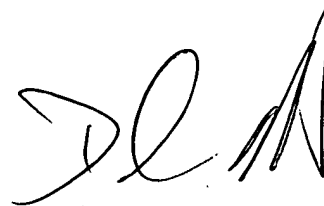
Page 7

Art Unit: 2841

308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0956.

HB  
7/30/03

A handwritten signature in black ink, appearing to read 'DLA', is positioned above the printed name and title.

DAVID MARTIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800